

NOV 25 2002 NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)

Docket No.
2711

In Re Application Of: PAUL M. YATES

Serial No.
09/728,455

Filing Date
12/01/2000

Examiner
STEVEN M. MARSH

Group Art Unit
3632

Invention: CUSHION WITH LUBRICATED PARTICULATES

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 08/28/2002 finally rejecting Claim(s) 1-5 and 22-34

Applicant is a small entity under 37 CFR 1.9 and 1.27.

A verified statement of small entity status under 37 CFR 1.27:

- is enclosed.
 has already been filed in this application.

The fee for this Notice of Appeal is: \$160.00

- A check in the amount of the fee is enclosed.
 The Commissioner has already been authorized to charge fees in this application to a Deposit Account. A duplicate copy of this sheet is
 The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-0114
A duplicate copy of this sheet is enclosed.

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GROUP 3600

[Signature]
Signature

Dated: NOVEMBER 19, 2002

WALTER A. HACKLER, Ph.D.

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11/27/2002 CVO111 00000078 09728455

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CC:

I certify that this document and fee is being deposited on
11/19/2002 with the U.S. Postal Service as first
class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.

[Signature]
Signature of Person Mailing Correspondence

WALTER A. HACKLER, Ph.D.

Typed or Printed Name of Person Mailing Correspondence